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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT

IN RE APPLICATION OF: **MARRIOTT ET AL.**  
 SERIAL NO.: 09/646,111  
 FILED: November 20, 2000  
 MAY 16 2002  
 OR: IMPROVED CRYSTAL STRUCTURE

GROUP ART UNIT: 1615  
 EXAMINER: S. TEE  
 ATTY. REFERENCE: MARR3001/REF

**THE COMMISSIONER FOR PATENTS**  
 Washington, D.C. 20231

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MAY 20 2002

*Sir:*

Transmitted herewith is a communication/amendment in the above-identified application.

Small entity status under 37 CFR 1.9 and 1.27 is claimed.  
 No additional fee is required.

The fee, if any, has been calculated as shown below:

Fee Basis	Number of Claims After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity	Full Fee
Total Claims	24	- 20 <sup>1</sup>	= 4 <sup>3</sup>	$\times \$9 =$	$\times \$18 = \$72.00$
Independent Claims	1	- 3 <sup>2</sup>	= 0 <sup>3</sup>	$\times \$42 =$	$\times \$84 = \$0.00$
<input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim				$+ \$140 =$	$+ \$280 =$
<b>TOTAL</b>					<b>\$72.00</b>

<sup>1</sup> If less than 20 enter 20.

<sup>2</sup> If less than 3 enter 3.

<sup>3</sup> If less than 0 enter 0.

Please charge my Deposit Account Number 02-0200 in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is attached.  
 A check in the amount of \$72.00 is attached.  
 The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is attached.  
 Also enclosed is/are: Amendment  
 Petition for One Month Extension of Time and payment of required fee

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PATENT TRADEMARK OFFICE

DATE: May 14, 2002

*Respectfully submitted,*

Richard E. Fichter

Richard E. Fichter  
*Attorney for Applicant*  
 Registration Number: 26,382



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

MARRIOTT et al.

Group Art Unit: 1615

Serial No.: 09/646,111

Examiner: S. Tran

Filed: November 20, 2000

For: IMPROVED CRYSTAL STRUCTURE

AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Official Action of January 14, 2002, in connection with the above-identified application. The period for response to this Official Action has been extended to expire on May 14, 2002, by the filing herewith of a Petition for a one-month extension of time and payment of the required fee.

Please amend the above-identified application as follows.

IN THE CLAIMS:

Please add the following new claims to the application.

*b1*  
20(New). A crystallization process as claimed in claim 7, wherein the substance to be crystallised is lactose monohydrate, and the crystallised lactose monohydrate has an elongation ratio of  $1.58 \pm 0.33$  and a size in the range of 63 to 90  $\mu\text{m}$ .

21(New). A lactose monohydrate according to claim 12, having an elongation ratio  $1.58 \pm 0.33$  and a size in the range of 63 to 90  $\mu\text{m}$ .